

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 23, 2025

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OLIVER HARMON,

Petitioner,

v.

JACK WARNER,

Respondent.

No. 1:24-CV-03187-SAB

**ORDER DISMISSING HABEAS
CORPUS PETITION**

On December 18, 2024, Petitioner Oliver Harmon was ordered to show cause why his Petition for a Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254 should not be dismissed as time-barred under 28 U.S.C. § 2244(d). ECF No. 3. Petitioner is in custody pursuant to a judgment of a state court and is currently housed at the Monroe Correctional Complex, Twin Rivers Unit. ECF No. 1 at 1. Petitioner is proceeding *pro se* and has paid the \$5.00 filing fee. Respondent has not been served.

In the Order to Show Cause, the Court cautioned Petitioner that his failure to show cause why this action should not be dismissed as time-barred would be construed as his consent to the dismissal of this action. ECF No. 3 at 4-5. Petitioner did not respond to the Order to Show Cause within thirty days as directed and has filed nothing further in this action.

ORDER DISMISSING HABEAS CORPUS PETITION -- 1

1 Accordingly, for the reasons set forth in the Order to Show Cause, ECF No.
2 3, **IT IS ORDERED** that the Petition, ECF No. 1, is **DISMISSED with prejudice**
3 as time-barred under 28 U.S.C. § 2244(d).

4 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,
5 **enter judgment**, forward copies to Petitioner, and **CLOSE** the file. The Court
6 further certifies that pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this
7 decision could not be taken in good faith, and there is no basis upon which to issue
8 a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

9 **DATED** this 23rd day of January 2025.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

15 Stanley A. Bastian
16 Chief United States District Judge
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